

MESSAGE NO: 3363202 MESSAGE DATE: 12/29/2003

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-533-809

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/01/2002 TO 01/31/2003

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: PARTIAL LIQUIDATION OF CERTAIN FORGED STAINLESS STEEL FLANGES FROM INDIA - PARTIAL RECISSION OF ADMINISTRATIVE REVIEW (A-533-809)

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CASES: A - 533 - 809

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PERIOD COVERED: 02 01 2002 TO 01 31 2003

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: PARTIAL LIQUIDATION OF CERTAIN FORGED STAINLESS STEEL FLANGES FROM INDIA - PARTIAL RECISSION OF ADMINISTRATIVE REVIEW (A-533-809)

1. ON 03/25/2003, THE DEPARTMENT OF COMMERCE INITIATED AN ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON CERTAIN FORGED STAINLESS STEEL FLANGES FROM INDIA FOR THE PERIOD COVERING 02/01/2002 THROUGH 01/31/2003 (68 FR 14394).

2. CUSTOMS MESSAGE NUMBER 3310206 (DATED 11/06/2003) INDICATES THAT ENTRIES DURING THE PERIOD COVERING 02/01/2002 THROUGH 01/31/2003 FOR SEVERAL COMPANIES, INCLUDING SHREE GANESH FORGING,

SHOULD NOT BE LIQUIDATED.

3. ON 11/10/2003, THE DEPARTMENT OF COMMERCE RESCINDED THE ADMINISTRATIVE REVIEW WITH RESPECT TO SHREE GANESH FORGING (68 FR 63758).

4. IN ACCORDANCE WITH SECTION 351.212(c) OF THE DEPARTMENT OF COMMERCE'S REGULATIONS, FOR ENTRIES FOR SHREE GANESH FORGING FOR THE PERIOD COVERING 02/01/2002 THROUGH 01/31/2003, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE AT THE TIME OF ENTRY.

5. THIS E-MAIL MESSAGE CONSTITUTED THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE FIRM AND MERCHANDISE LISTED ABOVE DURING THE INDICATED PERIOD. FOR ALL OTHER SHIPMENTS OF CERTAIN FORGED STAINLESS STEEL FLANGES FROM INDIA YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE U.S. CUSTOMS AND BORDER PROTECTION (CBP) ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT THE CBP PAYS INTEREST ON OVERPAYMENTS. OR ASSESSES INTEREST ON UNDER PAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. UPON ASSESSMENT OF ANTIDUMPING DUTIES, THE CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED

IN SECTION 351.402(f)(2) OF THE DEPARTMENT OF COMMERCE'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES, THE CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES DUE IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, THE CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 (G3O8:SB).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party